

TWENTY-FIRST DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Feb. 2, 1893.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—27.

Atlee,	Kearby,
Baldwin,	Lawhon,
Boren,	Lewis,
Bowser,	McComb,
Browning,	McKinney,
Cranford,	Pressler,
Crowley,	Shelburne,
Dean,	Simpson,
Dickson,	Smith,
Douglass,	Swayne,
Goss,	Whitaker,
Greer,	Woods,
Hutchison,	Yoakum.
Jester,	

EXCUSED—4.

Agnew,	Steele,
Imboden,	Tips.

Prayer by the chaplain, Dr. Briggs.
Pending the reading of the journal of yesterday,

On motion of Senator Whitaker, the reading of the same was suspended.

PETITIONS AND MEMORIALS.

By Senator Baldwin:

Petition from citizens of Shackelford county, asking for relief from the constant annoyance occasioned by promiscuous hunting and fishing on enclosed lands.

Read and referred to Committee on Stock and Stockraising.

By Senator Baldwin:

Petition from citizens of Haskell county, asking for additional appropriation for and to extend the law now in force known as the scalp law.

Read and referred to Committee on Finance.

By Senator Greer, by request:

Petition from citizens of Tyler county asking that the civil and criminal jurisdiction of the county court of Tyler county be restored.

Read and referred to Judiciary Committee No. 2.

COMMITTEE REPORTS.

COMMITTEE ROOM.

AUSTIN, TEXAS, Feb. 2, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on State Affairs, to whom was referred

Senate bill No. 132, entitled "An act authorize the Commissioner of Agri-

culture, Insurance, Statistics and History to exhibit at the World's Columbian Exposition at Chicago in 1893, the collection of agricultural, mineral and other specimens of the products of Texas in said offices, or that may be contributed to the State for that purpose; authorize the commissioner to appoint, with the concurrence of the Governor, a commissioner who may, with his approval, appoint all clerical and other help necessary to transport said exhibit to and from Chicago, care for the same while on exhibition, and to make an appropriation therefor."

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it *do pass*.

MCKINNEY, Chairman.

COMMITTEE ROOM.

AUSTIN, TEXAS, Jan. 31, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 103, being "An act to prescribe the time of holding the terms of the district courts in the Thirteenth judicial district,"

And find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM.

AUSTIN, TEXAS, Feb. 1, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 51, being "An act to amend section 7 of an act entitled an act to promote the development of the mining resources of Texas, chapter 100, approved March 29, 1889, and to repeal all laws and parts of laws in conflict with this act as hereby amended."

And find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM.

AUSTIN, TEXAS, Jan. 31, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 66, being "An act to amend sections 1 and 2 of an act entitled an act to prevent fishing and hunting on the enclosed lands of another, approved March 31, 1885,"

And find the same correctly engrossed.

PRESSLER, Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 2, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 7, being "An act to authorize minors to bring suits by next friend, and to provide for the disposition of the funds that may be recovered in such suits, and to define the duties of the next friend,"

And find the same correctly enrolled, and have this day, at 11:30 a.m., presented the same to the Governor for his approval.

BROWNING, Acting Chairman.

COMMITTEE ROOM,
AUSTIN, TEXAS, Feb. 2, 1893.

Hon. M. M. Crane, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 27, being "An act to diminish the jurisdiction of the county court of Webb county, and to conform the jurisdiction of the district court of Webb county to such change,"

And find the same correctly enrolled, and have this day, at 11:30 a.m., presented the same to the Governor for his approval.

BROWNING, Acting Chairman.

BILLS AND RESOLUTIONS

By Senator Cranford:

A bill to be entitled "An act concerning contracts for the conditional sale or lease of railroad equipment and rolling stock, and providing for the record thereof."

Read first time and referred to Committee on Internal Improvements.

By Senator Pressler:

A bill to be entitled "An act to provide for the payment by new counties of their proportionate share of the indebtedness of the older counties from which they were created."

Read first time and referred to Committee on Counties and County Boundaries.

By Senator Kearby:

A bill to be entitled "An act to define the kind of money which is a legal tender in the payment of all debts contracted to be paid, and that may be collected in the State of Texas, and to prevent discrimination in favor of either metal."

Read first time and referred to Committee on State Affairs.

By Senator Swayne:

A bill to be entitled "An act to amend article 566, chapter 2, title 20

of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-second Legislature."

Read first time and referred to Judiciary Committee No. 1.

The Chair gave notice of signing Senate bills Nos. 7 and 27, after their captions had been read, and signed same.

BILLS ON THIRD READING.

The Chair laid before the Senate, Senate bill No. 51, entitled "An act to amend section 7 of an act entitled an act to promote the development of the mining resources of Texas, chapter 100, approved March 29, 1889, and to repeal all laws and parts of laws in conflict with this act, as hereby amended."

Bill read third time.

By Senator Dean:

Amend Senate bill No. 51, in section 7, line 9, by inserting in lieu of the word "hereinbefore" the word "hereinafter."

Adopted by the following vote:

YEAS—25.

Atlee,	Lawhon,
Baldwin,	Lewis,
Browning,	McComb,
Cranford,	McKinney,
Crowley,	Pressler,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Goss,	Swayne,
Greer,	Whitaker,
Hutchison,	Woods,
Jester,	Yoakum.
Kearby,	

EXCUSED—4.

Agnew,	Steele,
Imboden,	Tips,

ABSENT—2.

Boren,	Bowser.
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The bill was then passed.

The Chair laid before the Senate Senate bill No. 66.

Senator Atlee made the point that action could not be taken on this bill till the motion to reconsider the vote ordering the same engrossed be acted upon.

Sustained.

BILLS ON SECOND READING.

The Chair laid before the Senate, Senate bill No. 8, entitled "An act to repeal chapter 100 of the General Laws of the State of Texas, passed at the regular session of the Twenty-second Legislature."

Bill read second time.

Senator Crowley moved to substi-

tute the minority committee report for that of the majority.

Carried.

The committee report as substituted was then adopted.

On motion of Senator Baldwin, the bill was made special order for Friday, February 10, after morning call.

The Chair laid before the Senate

Senate bill No. 25, entitled "An act to regulate the practice in trial and appellate courts in relation to new trials and reversals of cases where the verdict and judgment is held excessive, and to require said courts to indicate the excess, and to provide for filing remittiturs, and the effect thereof."

Bill read second time and the committee substitute adopted.

(Senator Cranford in the chair.)

By Senator Kearby:

Amend by adding the following: "Whereas, there are now many cases pending in the courts of civil appeals to be affected by this act, and many will be appealed within the next few months, therefore an imperative public emergency and necessity exist that the constitutional rules requiring bills to be read on three several days be suspended, and the same are hereby suspended, and this act take effect from and after its passage."

Adopted.

The bill was then ordered engrossed.

Senator Hutchison moved to reconsider the vote ordering the same engrossed.

Reconsidered by the following vote:

YEAS—14.

Atlee,	Lewis,
Cranford,	McComb,
Crowley,	McKinney,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Hutchison,	Swayne.

NAYS—11.

Baldwin,	Kearby,
Boren,	Lawhon,
Browning,	Whitaker,
Goss,	Woods,
Greer,	Yeakum.
Jester,	

ABSENT—2.

Bowser,	Pressler.
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EXCUSED—4.

Agnew,	Steele,
Imboden,	Tips.

(Lieutenant-Governor Crane in the chair.)

9—Senate

SPECIAL ORDER.

The Chair laid before the Senate special order,

Senate bill No. 4, entitled "An act to define perpetuities, to prohibit, regulate and limit the ownership of real estate within this State by corporations, and to provide for the condemnation and sale thereof," on second reading.

On motion of Senator Cranford the bill was considered by sections.

Sections 1, 2, 3 and 4 were read and passed without objections.

Senator Baldwin offered to amend section 5 as follows:

Amend section 5 by adding after the word "manufacturing" the words "or any other business."

By Senator Kearby:

Substitute the amendment as follows: "Amend section 5 by striking out all after the word "business," in line 2, down to and including the word "manufacturing," in line 3.

Adopted.

The amendment as substituted was adopted.

By Senator Kearby:

Amend section 5 by striking out the word "the," in line 2, before the word "business."

Adopted.

By Senator Douglass:

Strike out the word "such," in line 4, section 5.

Adopted.

By Senator Lewis:

Amend by striking out "as hereinbefore required, to some natural person, a citizen of the United States," in lines 9 and 10 of section 5.

Adopted.

Senator Baldwin moved that the Senate do now go into executive session on the Governor's appointments.

Lost.

Senator Baldwin moved to adjourn until 10-o'clock to-morrow.

Lost.

Senator Swayne moved to postpone further consideration of the pending bill till to-morrow after morning call.

Withdrawn.

By consent, Senator Smith called up Senate bill No. 9, entitled "An act to amend article 1272, title 29, chapter 9 of the Revised Civil Statutes of the State of Texas," and moved that the Senate concur in House amendment.

Senator Baldwin moved to adjourn.

Lost.

The Senate then concurred in the House amendment by the following vote:

YEAS—21.

Atlee,	Lewis,
Browning,	McComb,
Cranford,	McKinney,
Crowley,	Pressler,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Goss,	Swayne,
Greer,	Woods,
Jester,	Yoakum.
Kearby,	

NAYS—5.

Baldwin,	Lawhon,
Boren,	Whitaker.
Hutchison,	

EXCUSED—4.

Agnew,	Steele,
Imboden,	Tips.

Senator Crowley moved that to-morrow 12 m. be fixed as the hour at which time to go into executive session on the Governor's appointments. Adopted.

The Chair laid before the Senate House bill No. 328, a bill to be entitled "An act to amend section 15 of an act entitled an act to redistrict the State into judicial districts, approved April 9, 1883, and to create the Fifty-fifth judicial district, and fix the time for holding courts therein, and provide for the appointment of a district judge for the Fifty-fifth district," on second reading.

Bill read second time and passed to its third reading.

On motion of Senator Yoakum, the constitutional rule requiring bills to be read on three several days were suspended, and bill was put on its third reading by the following vote:

YEAS—25.

Atlee,	Lawhon,
Baldwin,	Lewis,
Boren,	McComb,
Cranford,	McKinney,
Crowley,	Pressler,
Dean,	Shelburne,
Dickson,	Simpson,
Douglass,	Smith,
Goss,	Swayne,
Greer,	Whitaker,
Hutchison,	Woods,
Jester,	Yoakum.
Kearby,	

NAYS—1.

Browning.

ABSENT—1.

Bowser.

EXCUSED—4.

Agnew,	Steele,
Imboden,	Tips.

Bill read third time and passed by the following vote:

YEAS—23.

Atlee,	Lawhon,
Baldwin,	Lewis,
Cranford,	McComb,
Crowley,	McKinney,
Dean,	Pressler,
Dickson,	Shelburne,
Douglass,	Simpson,
Goss,	Smith,
Greer,	Whitaker,
Hutchison,	Woods,
Jester,	Yoakum.
Kearby,	

NAYS—2.

Boren,	Browning.
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EXCUSED—4.

Agnew,	Steele,
Imboden,	Tips.

ABSENT—1.

Bowser, Swayne.

On motion of Senator Lewis, Senate adjourned until to-morrow morning at o'clock.

TWENTY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Feb. 3, 1893.

Senate met pursuant to adjournment.

Lieutenant Governor Crane in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT—24.

Atlee,	Kearby,
Baldwin,	Lawhon,
Bowser,	Lewis,
Browning,	McComb,
Crowley,	McKinney,
Dean,	Pressler,
Dickson,	Shelburne,
Douglass,	Simpson,
Goss,	Swayne,
Greer,	Whitaker,
Hutchison,	Woods,
Jester,	Yoakum.

ABSENT—2.

Cranford,	Smith.
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EXCUSED—5.

Agnew,	Steele,
Boren,	Tips.
Imboden,	

Prayer by the chaplain, Dr. Briggs.
Pending the reading of the journal of yesterday,